



NUCLEAR ENERGY INSTITUTE

Angelina S. Howard  
EXECUTIVE VICE PRESIDENT

April 29, 2005

The Honorable Karen A. Harbert  
Assistant Secretary for Policy and International Affairs  
U.S. Department of Energy  
1000 Independence Avenue, S.W.  
Washington, D.C. 20585

**Re: Request for Extension of Comment Period on Interim Final General Guidelines and Proposed Technical Guidelines for Voluntary Reporting of Greenhouse Gases (1605b) Program, 70 Fed. Reg. 15164 (March 24, 2005)**

Dear Assistant Secretary Harbert:

On behalf of the U.S. nuclear energy industry, the Nuclear Energy Institute<sup>1</sup> (NEI) requests that the U. S. Department of Energy (DOE) grant at least a 30-day extension of the 60-day public comment period, which is currently scheduled to close May 23, 2005, for the "Interim Final Rules" (*Federal Register*, Vol. 70, No. 56, p. 15164) that include both the interim final General Guidelines and the draft Technical Guidelines for the Voluntary Greenhouse Gases Reporting Program, commonly referred to as 1605(b) of the Energy Policy Act of 1992, 42 U.S.C. § 13385(b).

Members of the U.S. nuclear energy industry have been regular reporters of greenhouse gas (GHG) reductions into the voluntary registry since its creation. The latest figures from EIA, which are for the reporting year 2003, indicate that nuclear power projects accounted for 37 percent of the reported GHG reductions—making nuclear power the largest sector source of reductions.

The Institute is pleased that the guidelines recognize the GHG reductions made by non-emitting electricity generation, such as nuclear power. We believe, however, that there are ways to improve the program and to better calculate and recognize

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<sup>1</sup> NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry, including regulatory aspects of generic operational and technical issues. NEI members include all companies licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel fabrication facilities, materials licensees, and other organizations and individuals involved in the nuclear energy industry.

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avoided emissions. The 60 day comment period proposed does not, however, allow sufficient time for the analysis and consultation necessary to provide meaningful and constructive comments.

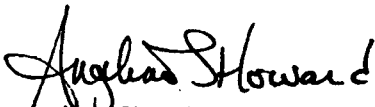
DOE has also requested comments on several specific issues both in the preamble to the "Interim Final Rules" and at the public workshop on April 26<sup>th</sup> and 27<sup>th</sup>. NEI and its members must have adequate time to consider and address some of these specific issues. Since the technical guidelines, which contain the details of calculating and reporting avoided emissions, have appeared for the first time and are lengthy (456 pages with appendices), we find the proposed 60 day comment period inadequate to compile a quality response.

Furthermore, technical questions regarding the factors used in calculating avoided emissions and indirect emissions were raised by DOE at the workshop on April 26<sup>th</sup> and 27<sup>th</sup>. We intend to make suggestions on these calculation factors. Since these new issues were raised with less than 30 days remaining in the comment period, thorough consideration and response to the questions require more time.

An extension to the comment period is a reasonable request in light of DOE's specific requests for comments on highly detailed technical guidelines. Given the extended period of time that elapsed between publication of the Draft General Guidelines and the Interim Final Rules, there is no reason to deny a reasonable request for additional time in which to provide meaningful and constructive suggestions.

Thank you for considering our request for at least a 30 day extension of the public comment period. The Voluntary GHG Reporting Program is an important piece of the Administration's climate change initiative. The nuclear energy industry would like to support this program by submitting thoughtful and specific suggestions. An extension will help us to do so.

Sincerely,



Angelina S. Howard

- c: David W. Conover  
Principal Deputy Assistant Secretary,  
DOE Office of Policy and International Affairs
- ✓ Mark Friedrichs, Esq.  
Office of Policy and International Affairs, DOE